

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jan 16, 2020**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Zachary Smith-Cline

Case Number: 0980 2:19CR00207-RMP-1

Address of Offender:

Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Jeffrey L Viken, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: January 27, 2014

Original Offense: Ct. 2: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)  
Ct. 3: Counterfeiting and Forging Obligations and Securities of the United States, 18 U.S.C. § 471

Original Sentence: Prison - 100 months  
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James A. Goeke

Date Supervision Commenced: March 12, 2019

Defense Attorney: Matthew A. Campbell

Date Supervision Expires: March 11, 2023

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**PETITIONING THE COURT**

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 12/12/2019 and 01/02/2020.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

**Supporting Evidence:** On December 30, 2019, Mr. Smith-Cline was in direct violation of mandatory condition number 3 by testing positive for oxymorphone (Morphine).

On March 12, 2019, Mr. Smith-Cline's conditions of supervision were explained to him. He signed the conditions stating he understood them.

On December 30, 2019, Mr. Smith-Cline submitted a urine sample that tested presumptive positive for oxymorphone. He reported he did not know why the sample would test positive for this substance. The sample was sent to Alere Toxicology Laboratory (Alere) for further analysis.

**Re: Smith-Cline, Zachary**

**January 16, 2020**

**Page 2**

On January 3, 2020, the results came back from Alere confirming the urine sample was positive for oxymorphone. Mr. Smith-Cline was confronted with the lab results and he disclosed he may have taken some pills from a "guy" on December 28, 2019. On January 8, 2020, he signed a drug use admission form reflecting this.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/16/2020

s/Joshua D. Schull

Joshua D. Schull

U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

1/16/2020

Date